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Disclaimer  
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TECHNOLOGY CENTER 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/894,497  
Filed: June 28, 2001  
Inventor(s):  
Darren Schmidt, Ram Rajagopal,  
Lothar Wenzel, Dinesh Nair

Title: SYSTEM AND METHOD  
FOR CURVE FITTING  
USING RANDOMIZED  
TECHNIQUES

Examiner: Wachsman, Hal  
Group/Art Unit: 2857  
Atty. Dkt. No: 5150-52200

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313-1450, on the date indicated below.

Jeffrey C. Hood

Name of Registered Representative

JCH

8/6/2003

Signature

Date

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION  
OVER A PENDING SECOND APPLICATION**

08/28/2003 AJHNSD1 00000007 501305 09894497  
02 FC:1814  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

1. National Instruments Corporation is the owner of all rights in the captioned application.

2. As sole owner in the captioned application, National Instruments Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as shortened by any terminal disclaimer filed prior to the grant, of any patent granted on pending second Application Serial No. 09/894,272, titled "System and Method for Performing Edge Detection in an Image" filed on June 28, 2001. National Instruments Corporation hereby agrees that any patent so granted on the captioned application shall be enforceable only for and during such period that it and any patent granted on

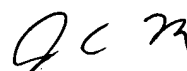
the second application are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

3. In making the above disclaimer, National Instruments Corporation does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

4. The undersigned is an attorney of record.

The Commissioner is authorized to charge any fees which may be required to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 501505\5150-52200\JCH.

Respectfully submitted



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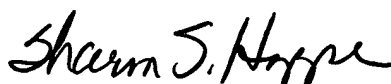
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TERMINAL DISCLAIMER  
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TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER

~~NOTE: DISCLAIMER~~  
The term of this patent shall not extend  
beyond the expiration date  
of Pat. No. \_\_\_\_\_

  
SHARON S. HOPPE  
PARALEGAL SPECIALIST  
TECHNOLOGY CENTER 2800